

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GOVERNMENT'S SUMMARY OF EXPERT TESTIMONY

Pursuant to the Fed. R. Crim. P. 16(a)(1)(E), the government hereby discloses a written summary of the testimony and qualifications of Genius Johnson, a fingerprint analysis expert who will testify at trial. With respect to the substance of Mr. Johnson's testimony, he will testify regarding the analysis and comparison of known and taken fingerprints and about the use of those fingerprints to determine the identity of an individual. The basis for Mr. Johnson's testimony and opinions is his familiarity with fingerprint analysis through his training and experience with thousands of analyses during his tenure at the Forensic Document Laboratory (FDL) at the Department of Homeland Security's Immigration and Customs Enforcement Office of Investigations.

Mr. Johnson has reviewed the print analysis in this case and it is anticipated that he will testify that the known fingerprints of Mr. Diaz (taken from his last deportation as well as other interactions with immigration personnel) are what they appear to be and that they are identical to

the prints of the person now on trial (Mr. Diaz). By so testifying, he will further support the record in the defendant's Alien File which demonstrates that the defendant is an illegal alien (and that the Alien File is, indeed, properly associated with this particular defendant).

With regard to Mr. Johnson's qualifications, he is a recognized expert in fingerprint analysis who is one of a handful of Forensic Document Experts who so analyze and testify at trial, on a regular basis, for the Department of Homeland Security.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Paul R. Moore
Paul R. Moore
Assistant U.S. Attorney

DATE: July 5, 2005

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney for defendant Tony Diaz, Michael J. Liston, Esq., on July 5, 2005, via first class mail.

/s/ Paul R. Moore
Paul R. Moore
Assistant U.S. Attorney